

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO**

MARGARET MCCLAIN HARE,  
Individually and as Personal  
Representative of the Estate of  
FRANCIS X. MCCLAIN, Deceased,

Plaintiff,

vs.

No. CIV 14-1003 JB/CG

BOARD OF COUNTY COMMISSIONERS  
OF LEA COUNTY, AND POLITICAL  
SUBDIVISION OF THE STATE OF NEW  
MEXICO; LEA COUNTY SHERIFF'S [sic]  
DEPARTMENT, A POLITICAL  
SUBDIVISION OF THE STATE OF NEW  
MEXICO; DEPUTY REX FLEETWOOD  
IN HIS PERSONAL AND OFFICIAL  
CAPACITY AS A DEPUTY OF LEA  
COUNTY; AND MARK HARGROVE,  
SHERIFF, IN HIS PERSONAL AND  
OFFICIAL CAPACITY,

Defendants.

*consolidated with*

DORA PANDO, as Personal Representative  
for Leon Sanchez,

Plaintiff,

vs.

No. CIV 14-1017 JB/CG

LEA COUNTY SHERIFF'S  
DEPARTMENT, MARK HARGROVE,  
in His [sic] personal and official  
capacity as Undersheriff of Lea County,  
and REX FLEETWOOD, in his personal  
and Official [sic] capacity as a Deputy of  
Lea County,

Defendants.

**FINAL JUDGMENT**

**THIS MATTER** comes before the Court on: (i) the Stipulated Order Dismissing State Tort Claims, filed April 30, 2015 (Doc. 22)(“Order”); and (ii) the Memorandum Opinion and Order, filed November 30, 2015 (Doc. 44)(“MOO”). The Order granted the Defendants’ Motion to Dismiss State Tort Claims, filed March 30, 2015 (Doc. 18), thereby dismissing all state tort claims against Defendants Lea County, New Mexico; Lea County Sheriff’s Department; Lea County Undersheriff Mark Hargrove; and Lea County Deputy Rex Fleetwood with prejudice. See Order at 1-2. The MOO granted the Defendants’ Motion for Summary Judgment, filed September 23, 2015 (Doc. 37), thereby dismissing Defendants Lea County, New Mexico; Lea County Sheriff’s Department; Lea County Undersheriff Mark Hargrove; and Lea County Deputy Rex Fleetwood with prejudice. See MOO at 54. Consequently, there not being any remaining claims or parties which the Court needs to address, the Court finds that final judgment in this case is appropriate.

**IT IS ORDERED** that all of Plaintiffs Margaret McClain Hare and Dora Pando’s claims brought, or which could have been brought, against Defendants Lea County, New Mexico; Lea County Sheriff’s Department; Lea County Undersheriff Mark Hargrove; and Lea County Deputy Rex Fleetwood, are dismissed with prejudice. Final judgment is entered in this case.



UNITED STATES DISTRICT JUDGE

*Counsel:*

Max Houston Proctor  
Hobbs, New Mexico

-- and --

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*Attorneys for Plaintiff Margaret McClain Hare*

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